

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL WALTER BERGER,
Plaintiff,

v.

JEFFREY BEARD,
Defendant.

Case No. [15-cv-0681-TEH](#)

ORDER

Re: Dkt. No. 31

Plaintiff proceeds with a civil rights action. Defendant filed a motion for summary judgment and Plaintiff has still not filed a reply despite an extension being provided.

Plaintiff was formerly a state prisoner but has been released. While in prison he was being aided by another inmate. That inmate, who is still incarcerated at Correctional Training Facility-Soledad, previously sought permission to be appointed as Plaintiff's "next friend" and litigate this case on Plaintiff's behalf. That request was denied in a prior order, yet the inmate has continued to file motions in this case on behalf of Plaintiff. The inmate has filed a motion (Docket No. 31), yet the motion contains frivolous and meritless requests which are DENIED. Plaintiff is provided one last extension to March 11, 2016, to file an opposition to the summary judgment motion. No further extensions will be provided.

1 This order terminates Docket No. 31.

2 IT IS SO ORDERED.

3 Dated: 02/29/2016



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5 THELTON E. HENDERSON
6 United States District Judge

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United States District Court
Northern District of California